

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

ANTHONY SCOTT LEACH

Date of Original Judgment: October 6, 2010Date of Last Amended Judgment: N/ACase No: DNCW 509CR000016-001USM No: 23342-058Thomas Cochran

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 mths **is reduced to** 188 mths. each ct. cc., & 4 years TSR

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Original Offense Level: 34Amended Offense Level: 33*Criminal History Category: VICriminal History Category: VI

262 to 327 months

custody; Ct. 1 TSR: At

188 to 235 months

least 5 years, Ct. 2 TSR: Atcustody, Cts. 1&2 TSR:Original Guideline Range: least 4 yearsAmended Guideline Range: At least 4 years, cc.**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

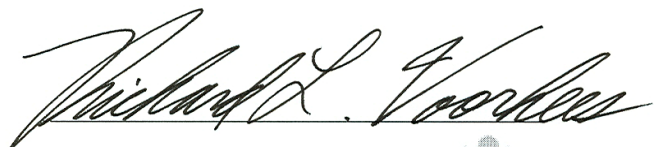
- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing and the reduced sentence is comparably less than the amended guideline range.
- ☐ The reduced sentence is above the amended guideline range.
- ☒ Other (explain): *The statutory penalties changed to 5 to 40 years custody and a term of "at least 4 years" supervised release in Count One (due to Dorsey v. United States); therefore, the Amended Offense Level changed one level after considering the defendant's Career Offender status and calculations.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated October 6, 2010, shall remain in effect.

IT IS SO ORDERED.Order Date: January 14, 2013

Effective Date: _____
(if different from order date)



Richard L. Voorhees
United States District Judge



